



OREGON ASSOCIATION CHIEFS OF POLICE
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PO Box 21719 Keizer OR 97307



OREGON STATE SHERIFFS' ASSOCIATION
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PO Box 7468 Salem OR 97303

To: **Members of the Senate Judiciary Committee**

From: Kevin Campbell, Executive Director
Oregon Association Chiefs of Police
kevin@victorygrp.com

Jason Myers, Executive Director
Oregon State Sheriffs' Association
jason@oregonsheriffs.org

Date: March 16, 2023

Re: **Testimony in Opposition to SB 188 and the Dash 1 Amendment**

Chair Prozanski and members of the committee,

For the record, my name is Kevin Campbell, and I am the Executive Director of the Oregon Association Chiefs of Police. I am here today on behalf of the Oregon Association Chiefs of Police and the Oregon State Sheriffs' Association to offer testimony in opposition to SB 188.

The language of SB 188 is based on unsubstantiated allegations that law enforcement regularly collects and maintains information about political and social views, associations and activities of individuals and groups that were gathered before any reasonable suspicion of crime. They suggest that law enforcement is systematically acting in contradiction to ORS 181A.250. We categorically disagree with these claims and believe this characterization of law enforcement is damaging and unfortunate. Law enforcement is committed to fully honoring the letter and spirit of the law. Community trust depends on our unwavering commitment to integrity and assertions that are based on anecdote and generalization are disappointing.

Beyond the proponent's messaging that accompanies SB 188, we believe the language of the measure is very problematic. We concur with the Oregon District Attorney's Association that SB 188 potentially creates a strict liability standard requiring suppression for the violation of certain statutes with none of the protections and balancing tests that are an integral part of constitutional suppression legal analysis. From a law enforcement perspective, the statutes that deal with officer stops (ORS 131.615 and ORS 810.410) are already covered by well-established case law. Existing case law helps trial and appellate courts determine whether a violation occurred, whether there is a remedy to the violation, and if there is an unremedied violation, what evidence will be suppressed. In these cases, SB 188 would result in suppression of all evidence regardless of the circumstances. The court would no longer be authorized to consider the specific nature of a violation to make a suppression determination.

We urge you to oppose SB 188 and I appreciate your consideration.